

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

Eric Eliel Pena-Martinez *Principal*

YOB: 1993

Guadalupe Sanchez-Perez *Co-Principal*

YOB: 1945

United States District Court
Southern District of Texas
FILED

Unknown

DEC 27 2018

Case Number:

M-18-2656-M

Clark of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 25, 2018 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Braulio Garcia-Garcia and Jorge Javier Valle-Rodriguez, citizens and nationals of Mexico and Honduras, along with five (5) other undocumented aliens, for a total of seven (7), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii)
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On December 24, 2018, a Border Patrol Agent received information about illegal aliens being harbored in a specific house in Roma, Texas. The following day, Agents were conducting surveillance at the house and observed multiple vehicles arrive and depart the suspected stash house. Border Patrol Agents and Texas Department of Public Safety (DPS) Troopers approached the house and could see into the residence through an outer mesh door and observed one male subject, later identified as Guadalupe Sanchez-Perez. Agents identified themselves and Sanchez freely exited the residence through the front door and stated he was the property owner. Sanchez claimed there was no other person inside his residence and granted Agents consent to search his home.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Appraised by Daniel A. Lindemann
12/27/18
Sworn to before me and subscribed in my presence,

December 27, 2018

Date

J Scott Hacker, U. S. Magistrate Judge
Name and Title of Judicial Officer

Gerardo Montalvo
Signature of Complainant

Senior Patrol Agent

Printed Name of Complainant

at McAllen, Texas

City and State

[Signature]
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18- 2656 -M

**RE: Eric Eliel Pena-Martinez
Guadalupe Sanchez-Perez**

CONTINUATION:

A subsequent search of the stash house resulted in the apprehension of one United States Citizen identified as Eric Eliel Pena-Martinez and seven (7) undocumented aliens who freely admitted to be in the United States illegally. All nine (9) subjects were transported to the Border Patrol Station for processing.

PRINCIPAL STATEMENTS:

Guadalupe Sanchez-Perez was advised of his Miranda Rights but did not want to provide any statements without an attorney.

Eric Eliel Pena-Martinez was advised of his Miranda Rights and agreed to provide a statement. Pena stated he grew up at the house and has recently moved back. Pena claims that he awoke to noises in the house and went to inspect. Pena then saw illegal aliens and instructed them to be quiet. Pena states he knew the people in the house were illegal aliens but claimed he was not in charge of them, he further added the person in charge of them was his uncle, Sanchez.

MATERIAL WITNESS STATEMENTS:

Braulio Garcia-Garcia and Jorge Javier Valle-Rodriguez were read their Miranda rights and agreed to provide a sworn statement.

Garcia, a national of Mexico, claimed he made his smuggling arrangements and, with the help of his brother, paid a total of \$2,400 USD. Garcia crossed the Rio Grande River with five (5) other people on a raft and followed a foot guide to a residence. Garcia was received and granted permission to enter the residence by an old man. Garcia stated that the old man also provided them with meals. Garcia claimed that there was a younger man already at the residence. Garcia indicated that the younger man saw them arrive and knew they were in the country illegally.

Garcia identified Guadalupe Sanchez-Perez, through a photo lineup, as the old man at the residence.

Garcia also identified Eric Eliel Pena-Martinez, through a photo lineup, as the younger man who saw them enter the residence.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18-2656 -M

**RE: Eric Eliel Pena-Martinez
Guadalupe Sanchez-Perez**

CONTINUATION:

Valle, a national of Honduras, claimed he paid \$10,000 USD for his smuggling arrangements. Valle indicated that he crossed the river on a raft with five (5) other people and they were guided until being picked up by a vehicle. The vehicle transported them to a residence. Valle stated there were two people at the residence that were in charge of watching them. Valle claimed an old man provided them with food and that the other person would check on them by asking if they needed anything.

Valle identified Guadalupe Sanchez-Perez, through a photo lineup, as the old man who lived at the residence and provided them with food.

Valle also identified Eric Eliel Pena-Martinez, through a photo lineup as the person who would check on them.